

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6511

BILL NUMBER: SB 69

NOTE PREPARED: Dec 16, 2008

BILL AMENDED:

SUBJECT: Motorized Bicycle Certificate.

FIRST AUTHOR: Sen. Paul

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires the Bureau of Motor Vehicles (BMV) to design and issue a certificate for the operation of a motorized bicycle by a person who does not have an operator's license. It provides that a person who operates a motorized bicycle on a public street, road, or highway without having obtained a certificate commits a Class D infraction. The bill imposes a \$10 fee for the certificate. It provides for deposit of the fee in the Motor Vehicle Highway Account (MVHA).

Effective Date: July 1, 2009.

Explanation of State Expenditures: Requiring a certificate to operate motorized bicycles may increase associated expenditures for the BMV. The BMV does not issue these items currently. The fund affected is the MVHA, which supports the BMV.

Explanation of State Revenues: *Certificate Revenue:* Revenues will depend upon the number of people who do not currently possess an operator's license and who wish to operate a motorized bicycle. The actual number of motorized bicycle operators without a driver's license is unknown. Revenues from the newly issued certificate would be deposited into the MVHA.

Penalty Provisions: If additional court cases occur and infraction judgments and court fees are collected, revenue to the state General Fund may increase. The maximum judgment for a Class D infraction is \$25, which is deposited in the state General Fund.

If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the document storage fee (\$2), automated record keeping

fee (\$7), judicial salaries fee (\$18), the public defense administration fee (\$3), the court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund.

Background Information: The MVHA may be used for road construction, reconstruction, and maintenance for cities, towns, and counties. The MVHA also supports entirely the operation of the Bureau of Motor Vehicles, a significant part of the operation of the Department of Transportation, about 61% of the operation of the State Police, and part of the operation of the state Department of Revenue.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Penalty Provisions:* If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected: BMV; State Police; Department of Transportation; State Department of Revenue.

Local Agencies Affected: Recipients of MVHA distributions; Trial courts, local law enforcement agencies.

Information Sources: BMV registration and title data.

Fiscal Analyst: James Sperlik, 317-232-9866.